



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

May 20, 2008

OPP Decision Number: D-386886

Luanne Jeram
Senior Regulatory Affairs Specialist
LanXess, Corp.
Material Protection Products
111 RIDC Park West Drive
Pittsburgh, PA 15275-1112

Subject: **Tektamer 38 MU**
EPA Registration Number: 39967-62
Application Dated: December 4, 2007
Receipt Date: December 20, 2007

Dear Ms. Jeram:

The following amendment, submitted in connection with registration under section the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, is acceptable with label comment.

Proposed amendments:

- Basic Confidential Statement of Formula (CSF) (see CSF dated 5/5/08).
- Revised label
- Five-Batch Analysis (MRID # 474181-01)

Labeling comment:

Revise the first aid statement by adding the following general information to read as follows:

*"For emergency information call the **National Pesticides Information Center** at 1-800-858-7378, 6:30 AM to 4:30 PM Pacific time (PT), seven days a week. During other times, call the poison control center 1-800-222-1222."*

General comments:

The revised basic CSF dated May 5, 2008 supersedes all previously accepted basic formulas.

The Agency is moving away from review of paper submitted registration applications to electronic review of applications. Therefore, we need your help to make this an efficient and convenient process for both you and the Antimicrobials Division. Accordingly, we are asking you to submit future labeling amendments for this product via the electronic labeling process. Refer to the following website for guidance on electronic submissions, including label:

http://www.epa.gov/oppfead1/eds/esr_guidance.htm#overallsub. If you have any questions concerning electronic label submissions, a list of contacts is available at the following website: <http://www.epa.gov/oppfead1/eds/edsgoals.htm#contacts>.

A stamped copy of the label is enclosed for your records.

Other Comments

Should you have further questions concerning this letter, please contact me by telephone at (703) 308-6422 or by e-mail at heyward.adam@epamail.epa.gov or Lisa McKelvin by telephone at (703) 308-7496 or by email at mckelvin.lisa@epa.gov during the hours of 8:00 am to 4:00 pm EST. When submitting information or data in response to this letter, a copy of this letter should accompany the submission to facilitate processing.

Sincerely,



Adam Heyward
Product Manager (34)
Regulatory Management Branch II
Antimicrobials Division (7510P)

Enclosure: [Stamped label]

TEKTAMER[®] 38 MU

MANUFACTURING USE PRODUCT FOR THE FORMULATION OF ANTIMICROBIAL PRODUCTS

ACTIVE INGREDIENT: 1,2-Dibromo-2,4-dicyanobutane	-----	99.9%
INERT INGREDIENTS	-----	0.1%
TOTAL	-----	100.0%

KEEP OUT OF REACH OF CHILDREN
DANGER PELIGRO

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER. CORROSIVE. Causes irreversible eye damage. May be fatal if inhaled. Harmful if swallowed or absorbed through skin. Do not get in eyes, on skin or on clothing. Wear goggles, safety glasses or face shield when handling. Avoid contact with skin. Do not breathe vapor or spray mist dust. Prolonged or frequently repeated skin contact may cause allergic reaction in some individuals. Remove contaminated clothing and wash clothing before reuse.

USER SAFETY RECOMMENDATIONS

Users should wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.
 Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.
 Users should remove personal protective equipment immediately after handling this product.
 Wash the outside of gloves before removing. As soon as possible, wash thoroughly.

ENVIRONMENTAL HAZARDS

This product is toxic to fish and wildlife. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

® Tektamer is a registered trademark of LANXESS Corporation

IN CASE OF EMERGENCY, CALL: CHEMTREC 800-424-9300
EPA REG No. 39967-62
EPA ESTABLISHMENT NUMBER:

FIRST AID

IF IN EYES: Hold eyes open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

IF SWALLOWED: Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told by a poison control center or doctor.

IF ON SKIN: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

IF INHALED: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.

Call a poison control center or doctor for treatment advice.

Have the product Material Safety Data Sheet (MSDS) with you when calling a Poison Control center or doctor for treatment advice.

NOTE TO PHYSICIAN: Probable mucosal damage may contraindicate the use of gastric lavage. Measures against circulatory shock, respiratory depression and convulsion may be needed.

NOTICE: Seller makes no warranty, expressed or implied, concerning the use of this product other than indicated on the label. Buyer assumes all risk of use and/or handling of this material when such use and/or handling is contrary to label instruction.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Only for formulation into a microbiocide/microbiostat/bacteriostat for use as an additive for latex and oil paints, emulsions, industrial adhesives, dispersed pigments, metalworking fluids, waxes & polishes, inks, and joint cements.

This product may be used to formulate products for specific use not listed on the manufacturing product label if the formulator, user group, or grower has complied with U. S. EPA submission requirements regarding support of such use(s).

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE DISPOSAL: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

PESTICIDE STORAGE: Containers should be stored out of direct sunlight to maintain the product below its melting point. If product is exposed to sustained temperatures above 50°C, caking will occur with associated handling problems. Product efficacy will not be affected. However, dissolution time will increase. Container should be kept dry and tightly closed.

CONTAINER DISPOSAL: Metal Container: Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities. Plastic Container: Do not reuse empty container. Triple rinse (or equivalent). Then puncture and dispose of in a sanitary landfill or, if allowed by State and Local Authorities, by burning. If burned, stay out of smoke.

Handle and open container in a manner as to prevent spillage. If the container is leaking or material is spilled for any reason or cause, carefully sweep the material into a pile and dispose of as directed for pesticides as above. Refer to Precautionary Statements on label for hazards associated with the handling of this material. In spill or leak incidents, keep unauthorized people away.

When the water-soluble bags have been removed, dispose of corrugated box in a sanitary landfill, by incineration, or, if allowed by State and Local Authorities, by burning. If burned, stay out of smoke.

GENERAL: Consult Federal, State or Local disposal authorities for approved alternative procedures.

INTERNATIONAL 703-527-3887

Net Contents:

Lot No.:

ACCEPTED
 with COMMENTS
 in EPA Letter Dated:
 MAY 20 2008

LANXESS Corporation

111 RIDC Park West Drive • Pittsburgh, PA 15275-1112

Under the Fungicide, and Rodenticide Act as amended, for the pesticide, registered under EPA Reg. No.

LABEL TEXT DATE: DRAFT 05/02/2008

LANXESS

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